

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CORY J. HOLMES,	§	
	§	No. 378, 2016
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware
v.	§	
	§	Cr. ID No. 0901020659 (N)
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: November 17, 2017

Decided: January 30, 2018

Before **VAUGHN**, **SEITZ**, and **TRAYNOR**, Justices.

ORDER

This 30th day of January 2018, after consideration of the parties' briefs and the record on appeal, we conclude that the Superior Court's summary dismissal of the appellant's second motion for postconviction relief should be affirmed. The Superior Court did not err when determining that the appellant's ineffective assistance of postconviction counsel claims were subject to the procedural requirements of Superior Court Criminal Rule 61(d)(2).*

* See, e.g., *Durham v. State*, 2017 WL 5450746, at *2 (Del. Nov. 13, 2017) (holding that appellant had to satisfy requirements of Rule 61(d)(2) to avoid summary dismissal of second postconviction motion, even if he did not have a previous opportunity to raise ineffective assistance of postconviction counsel claims (citing *Younger v. State*, 580 A.2d 552, 554 (Del. 1990))); *Coles v. State*, 2017 WL 3259697 (Del. July 31, 2017); *Jones v. State*, 2017 WL 4535974 (Del. Oct. 10, 2017).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice